

REMARKS/ARGUMENTS

Claims 1-9 and 11-21 stand in the present application, claims 1, 2, 4, 11 and 14 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

The undersigned wishes to note the kindness and helpfulness exhibited by Examiner Carter during the telephonic interview on June 12, 2009 in which the currently presented claim amendments were discussed and the Examiner indicated that they overcame the previously cited art.

In the Office Action the Examiner has rejected claims 1-4, 6-9, 14-19 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Kawagoe in view of Norihiro, has rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Kawagoe in view of Norihiro and Komori, and has rejected claims 11-13 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Kawagoe in view of Nagashima. The Examiner's § 103 rejections of the claims are believed to have been overcome in view of the above-described claim amendments as set forth below.

Independent claims 1, 4, 11 and 14 have been amended to more clearly require that the insulative region is only formed remote from an external edge of the semiconductor stacked structure when viewed in plan with the external edge being remote from the striped waveguide region. Since the Examiner had been relying upon Norihiro for teaching an insulative region which extended from the external edge of the semiconductor stacked region and remotely from that region, the amended claims are now believed to more clearly patentably define over the combination of cited art including Norihiro. More particularly, Norihiro does not teach or suggest the insulative

region only being formed remote from the external edge of the semiconductor stacked structure. Accordingly, independent claims 1, 4, 11 and 14 and their respective dependent claims are believed to patentably define over the cited references taken either singly or in any combination.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-9 and 11-21, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

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